

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO: 00-6323-CR-HURLEY
00-6333-CR-FERGUSON

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
JOSEPH FELTZER,)
)
Defendant.)
_____)

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GOVERNMENT'S MOTION TO TRANSFER CASE PURSUANT TO LOCAL RULE 3.9(c)

Comes now the United States of America by and through the undersigned Assistant United States Attorney and files this government motion to transfer case pursuant to local rule 3.9(c) and in support thereof states as follows:

1. On November 1, 2000, a Federal Grand Jury sitting in Fort Lauderdale, Florida returned an indictment charging the defendant and co-defendant JOHN ANSELMO with multiple counts of bank robbery in violation of Title 18, United States Code, Section 2113(a) in case no. 00-6323-CR-Hurley.

2. On November 30, 2000, a Federal Grand Jury sitting in Fort Lauderdale, Florida returned an indictment charging the defendant and co-defendant KIMBERLY ADAMS with bank robbery in violation of Title 18, United States Code, Section 2113(a) in case no. 00-6333-CR-Hurley.

3. The cases involve an overlap of witnesses, including the same Federal and State investigations in both cases, the possible presentation of F.R.E. 404(B) material from both cases.

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It is respectfully requested that pursuant to local rule 3.9(c) of the Southern District of Florida that these cases be transferred to the court having the lower numbered case. This transfer would save time and conserve judicial resources.

4. Howard Schumacker, Esq. who represents defendant Feltzer was contacted to determine his position on the motion. Mr. Schumacker advised that he did not oppose the government's motion to transfer the case.

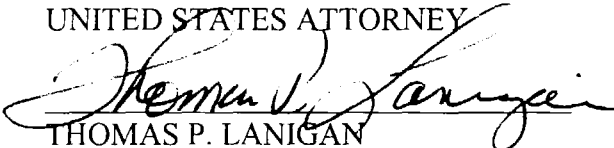
5. Defendant Adams is scheduled for a plea on March 2, 2001 at 1:30p.m. in case no. 00-63333-CR-Ferguson.

WHEREFORE, based on the above, the undersigned respectfully requests that this Honorable Court grant the government's unopposed motion to transfer case pursuant to local rule 3.9(c).

Respectfully submitted,

GUY A. LEWIS
UNITED STATES ATTORNEY

By:


THOMAS P. LANIGAN
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing government motion was mailed this 21 st day of February, 2001 to: Howard Schumacker, Esq., 1 E. Broward Blvd., Suite 700, Ft. Lauderdale, FL. 33301.


THOMAS P. LANIGAN
ASSISTANT UNITED STATES ATTORNEY